

REMARKS

In response to the Official Action currently outstanding with respect to the above-identified application, which Official Action the Examiner has designated as being FINAL, Applicants respectfully request reconsideration on the following grounds.

Claims 1-30 are pending in this application. Claims 1-19 were withdrawn from further consideration in view of Applicants' response to the Examiner's Restriction Requirement. Claims 29-30 previously were withdrawn from further consideration by the Examiner on the basis that Claims 29-30 are directed to a non-elected invention (Applicants having constructively elected the invention of Claims 20-28 by virtue of the issuance of a substantive action on the merits of those claims). By the next previous Amendment, Applicants amended Claims 20 and 25 of the above-identified application so as to more clearly and distinctly set forth the subject matter that Applicants regard as their invention. Applicants believe that as so amended the claims of this application are in condition for allowance. Applicants do not propose further amendment of any of the currently pending claims, nor do they propose the addition, the cancellation or the withdrawal of any claims by this Request for Reconsideration. Accordingly, for the purposes of this Request for Reconsideration, Claims 20-28 remain the claims under active prosecution in this application.

A clean version of the claims of this application as they currently stand, including appropriate status indicators, is set forth above in the spirit of the Rules for the convenience of the Examiner.

More specifically, it is noted that in the currently outstanding Official Action, the Examiner has entered Applicants' Amendment of 9 April 2008. In addition, the Examiner has indicated a belief that once the formal matters of establishing foreign priority and the acceptability of the drawings have been handled once in any given prosecution, those matters need not be re-acknowledged or reconfirmed. It is Applicants understanding, however, that each Official Action and each Response during the prosecution of a United States Patent Application is supposed to be complete unto itself.

Accordingly, it is to be understood that Applicants' comments on such formal matters that have been dealt with previously are made simply for the purposes of complying with the Rules and of insuring that a complete record is created during this prosecution. In any event, in the currently outstanding FINAL Official Action the Examiner has:

1. Re-acknowledged Applicants' claim for foreign priority and the receipt by the United States Patent and Trademark Office of the required certified copies of the priority document(s) – **Applicants' claim for foreign priority and the receipt by the United States Patent Office of the required copies of the priority documents were acknowledged in the Official Action dated 27 June 2005.**
2. Reconfirmed that the drawings filed on 26 September 2000 in this application are deemed to be acceptable – **The acceptability of the formal drawings filed on 26 September 2000 was previously indicated in the Official Action of 27 June 2005.**
3. In acknowledging his consideration of Applicants' resubmission of their Information Disclosure Statement of 6 February 2001 (i.e., the letter of 6 February 2001 requesting correction of the Form PTO-1449 that was filed with the Information Disclosure Statement filed concurrently with this application on 26 September 2000), the Examiner still has not corrected his inadvertent use of the duplicate of the Form PTO-1449 that accompanied this application on 26 September 2000 instead of the corrected Form PTO 1449 that was submitted with the Letter dated 6 February 2001 requesting the above-noted correction.

In response to the next previous Official Action, Applicants submitted a copy of a Letter dated 6 February 2001 requesting that a corrected Form PTO-1449 be substituted for an incorrect Form PTO-1449 that was filed concurrently with this application on 26 September 2000 so as to ensure that the record appropriately reflected the Examiner's consideration of JP 6-85916, instead of JP 5-85916 that was inadvertently incorrectly indicated on the Form PTO 1449 that accompanied the Information Disclosure Statement filed with this application on 26 September 2000. Acknowledgement of the consideration of JP 6-85916 in the course of the examination of this application also was specifically and respectfully requested.

For reasons that cannot be explained by Applicants, the Examiner has failed to understand this issue or to note that Applicants previously provided him with the letter of 6 February 2001 requesting correction of the Information Disclosure Statement filed concurrently with this application on 26 September 2000 and both of its attachments (i.e., a copy of the original erroneous Form PTO-1449 and a copy of a corrected Form PTO-1449). The Examiner now has complicated this situation further by suggesting that the copy of the erroneously listed document (i.e., JP 5-85916) is present in the files of the United States Patent and Trademark Office and that that does not include an English language translation. On that basis, the Examiner currently has refused to consider the erroneously identified reference.

Applicants have reviewed the file for this case on the United States Patent and Trademark Office website and have found that only the correct document (i.e., JP 6-85916) as filed with the Information Disclosure Statement filed concurrently with this application on 26 September 2000 is actually present in the file for this case in the United States Patent and Trademark Office.

Furthermore, Applicants have noted that even though a translation of JP 6-85916 was not provided therewith, the relevance of that reference is set forth at page 5 of the present specification.

Accordingly, in order to again explain the foregoing situation to the Examiner and also to clear and clarify the record once and for all, Applicants are submitting concurrently herewith an entirely new Information Disclosure Statement directed to the JP 6 – 85916 document. Applicants respectfully request the Examiner to appropriately acknowledge his receipt and consideration of this new Information Disclosure Statement in response to this submission.

4. FINALLY rejected Claims 20-28 under 35 USC 102(e) as being anticipated by the Fujimoto reference (US Patent No. 6,018,720).

With respect to items 1-3 above, further comment in these Remarks is not deemed to be necessary.

With respect to item 4 above, on the other hand, the Examiner has suggested that the Fujimoto reference (US Patent No. 6,018,720) anticipates currently pending Claims 20-28 of the above-identified application within the meaning of 35 USC 102(e). Applicants respectfully disagree, traverse the Examiner's currently outstanding anticipation rejection, and request reconsideration for the following reasons.

As Applicants have indicated previously, currently pending Claims 20-28 deal primarily with the twelfth and thirteenth embodiments of the present invention as discussed at pages 74-83 of the present specification. Generally speaking, therefore, it will be seen that **in the present invention the digital data to be displayed by the display device is contained on a storage medium of some sort that is separate from the claimed data reproducing apparatus.**

Further, Applicants herein again respectfully emphasize the fact that in addition to the digital data stored for reproduction by the data reproducing apparatus the separate storage medium of the present invention also stores “reproducing apparatus specifying information for specifying an apparatus capable of reproduction” (Claim 20) or “external storage medium specifying information for specifying an external storage medium” (Claim 25) according to how the data reproduction apparatus determines whether or not it is capable of reproducing the digital data contained on the separate storage media.

The Examiner, however, appears to take a position that is in disagreement with Applicants’ assertion that the Fujimoto reference fails to teach “the reproduction of digital data from an external storage medium” rather than the transfer of digital data to an external storage medium. Hence, Applicants understand the Examiner to be suggesting that in Fujimoto a purchaser’s identification information is collected and verified prior to the production of content data and further that this is the same as the present invention wherein the transfer of data occurs after ID information is known. In view of this, Applicants respectfully submit that the Examiner comments are indicative of the fact that he has failed to follow Applicants’ previous arguments in this application and simply has repeated the rejections made by the previous Examiner in the next previous Official Action.

The principle issue between the Examiner and the Applicants, therefore, appears to be that the new Examiner (just as the old Examiner) has been unable to (or refused to) recognize the distinction between the reproduction of digital data from, rather than a transfer of digital data to, an external storage medium as herein disclosed and claimed. In other words, the Examiners of this present application have failed to recognize (or at least to give any weight to) the distinction between an external storage media being read so as to allow reproduction apparatus specification information stored on that media to be compared with internally stored reproduction apparatus ID information whereby to determine whether or not the reproducing apparatus can reproduce digital data stored on the storage media on the one hand, with the transfer of digital data from a reproduction apparatus to an external storage media until such time as an incompatibility arises dictating a stoppage of such a digital data transfer.

Applicants respectfully submit that it is imperative in the circumstances of this application to recognize that the present invention is a reproducing apparatus for reproducing digital data stored on an external storage media while the Fujimoto reference discloses a transfer apparatus for transferring digital data from itself to an external storage media. Hence, as the following previously presented comments clearly and definitively indicate, **the apparatus of the present invention and the apparatus of the Fujimoto reference are fundamentally different from one another.**

Accordingly, the conceptual difficulty between the Applicants' position and the Examiner's arguments in support of his rejections seems to reside in the fact that in the present invention the digital data to be reproduced at all must include if it is to be reproduced specification information that has to match stored reproduction apparatus identification information (Claim 20) or external storage medium identification information (Claim 25). In other words, the digital data to be reproduced is contained on a storage media external to the data reproduction apparatus and unless the reproduction apparatus specifying information stored with or as part of the digital data to be reproduced matches the reproduction apparatus identification information stored in the reproduction apparatus (Claim 20) or the external storage medium identification information stored on the external storage medium (Claim 25) reproduction of the information to be reproduced will be prevented. Hence, in the present invention, the information to be reproduced can be reproduced only on an authorized apparatus (Claim 20) and can be reproduced only if was stored for reproduction on an authorized storage medium (Claim 25).

In the Fujimoto disclosure, on the other hand, it is clear that information to be transferred to an external storage medium is stored on a transfer apparatus along with a prior version of the information to be transferred to the external storage medium, and further that the information to be transferred to the external storage medium can only be transferred to an external storage medium that already contains the prior version of the information to be transferred.

Applicants respectfully submit that the Examiner's analysis oversimplifies the alleged analogy that he asserts exists between the Fujimoto reference and the present invention by attempting to equate (i) a prior version of information to be transferred on an external storage medium to the "reproducing apparatus specifying information" of the present invention, and also (ii) the prior version of the information to be transferred stored in the transfer apparatus to the present "reproducing apparatus specifying information".

Hence, it will be seen that the foregoing approach allows the Examiner to disregard the significance of the labels being attached to the various information in the present invention and in the Fujimoto reference respectively. In particular, the Examiner characterizes the present invention and the Fujimoto reference in such a manner that they can be argued (in Applicants' estimation somewhat misleadingly) to be mirror images of one another wherein the transfer of information to an external storage for storage therein as in Fujimoto and the transfer of information from an external storage to the reproduction apparatus for reproduction as in the present invention are respectively controlled by arguably equivalent, mirror-image process steps that determine whether or not any transfer of information will be allowed at all. Applicants respectfully submit in this regard, however, that even if one accepts the premises of the Examiner's argument in the latter regard (an assumption that Applicants respectfully submit cannot be justified), it nevertheless remains true at a very basic level that Fujimoto still does not anticipate the present invention as the Examiner has alleged. *This is because a transfer of information from an external memory to a reproduction apparatus for reproduction simply is not the same as the transfer of information to an external memory for storage.*

The weaknesses of the Examiner's position are respectfully submitted to become even more apparent from a more detailed analysis of the present invention *vis a vis* the Fujimoto reference. In particular, for example, in the case of Claim 20 of the present application, the **separate storage media** stores, in addition to the digital data to be reproduced, reproducing apparatus specifying information for specifying an apparatus capable of reproduction. Also, reproduction apparatus ID information unique to the reproducing apparatus is stored in the **internal** storage apparatus within the housing of the data reproduction apparatus. Consequently, unless the first determining means determines that the data reproducing apparatus is capable of reproducing the digital data from the reproduction apparatus ID information as read from the **internal** storage apparatus of the data reproduction apparatus **and** the reproducing apparatus specifying information contained in the **separate** storage medium, the control apparatus of the data reproduction apparatus will not allow the digital data stored on the separate storage media to be reproduced by the data reproduction apparatus.

In the case of Claim 25, on the other hand, at least one external storage medium stores, in addition to the digital data to be reproduced, external storage medium specifying information for specifying an external storage medium. Also, unique external storage medium identification information is stored in each of at least one external storage medium mounted on the data reproduction apparatus. Consequently, unless the first determining means determines that the external storage medium specifying information included in said digital data satisfies a prescribed relation with the external storage medium identification information, the control apparatus of the data reproduction apparatus will not allow the digital data stored on the external storage medium to be reproduced by the data reproduction apparatus.

More particularly, the operation of the twelfth embodiment of the present invention appears in the present specification at Page 77, line 25 to Page 79, line 33. The final paragraph of that section of the present specification is particularly instructive and is quoted below.

As described above, as the display apparatus ID information specifying a display apparatus by which reproduction is permitted is recorded and managed in the book data, whereby the following effects can be achieved. When the book data is copied as it is and an attempt is made to reproduce the copy by other display apparatus, the contents of the display apparatus ID information 1194 in the book data is different from the ID information of the other display apparatus. Therefore, unless the original display apparatus ID information is known, it is impossible to reproduce the copied book data by the process of steps 1216 to 1218. As long as the display apparatus same as the original display apparatus is used, the page data display process (1224) starts without fail, from the process of step 1214, and therefore a legitimate user is allowed to reproduce and display the book data without any restriction. Therefore, reproduction or display by the legitimate user of the personally copied book data for back up, for example, is not restricted. Further, even a display apparatus having different ID information from the display apparatus ID information recorded on the book data is capable of reproducing the book data, if the user enters the ID information same as the ID information recorded on the book data. Therefore, when the user has a plurality of display apparatuses, any display apparatus may be used for reproduction, if the correct ID information of the original display apparatus is known.

Similarly, the operation of the thirteenth embodiment of the present invention appears at Page 81, line 14 to Page 82, line 21. The final paragraph of that section also is particularly instructive and is quoted below.

As described above, in the present embodiment, each user has an external medium having unique ID information recorded thereon. When each user reproduces the book data, the external medium ID information stored in the IC card mounted by the user to the electronic book reproducing apparatus at that time is recorded in the book data. Thereafter, when the book data is to be reproduced and displayed, the external medium ID information recorded in the book data is compared with the ID information of the IC card mounted to the electronic book reproducing apparatus to be used for reproduction and display, and whether the display is permitted or not is managed dependent on the result of comparison. Therefore, unless the external medium on which the ID information of each user is recorded is mounted to the electronic book display apparatus itself, it is impossible to display the book data, and therefore, reproduction of the book data by an unauthorized user can substantially be prevented. Further, if the user is a legitimate user of the book data to be reproduced, it is possible to reproduce the book data of his own by any apparatus, simply by inserting the external medium on which the unique ID information is recorded, to the electronic book reproducing apparatus.

Accordingly, Applicants again respectfully submit that it is abundantly clear from both the present specification and pending Claims 20-28 that the present invention is directed to the reproduction of digital data *from, not a transfer of digital data to* , an external storage medium that is separate and distinct from the elements of the data reproduction apparatus permanently contained within the housing of the data reproduction apparatus. Furthermore, this is fundamentally different from any teaching, disclosure or suggestion to be found within the four corners of the Fujimoto reference.

Moreover, Applicants respectfully again note that in the Fujimoto reference the purchaser record medium 13 includes a rewritable area Z1, a purchase history data area Z2 and a purchaser inherent-data/accounting-data area Z3. No area of the purchaser record medium 13 is specified to, or even arguably suggested to, contain “reproducing apparatus specifying information for specifying an apparatus capable of reproduction”. Applicants respectfully submit that this is not surprising because the purpose of the Fujimoto system is to authenticate a user, verify the user’s account (transaction) history, transfer digital data to the rewritable area Z1 of the purchaser record medium 13 and to add the accounting particulars of that transaction to the user’s financial history for use in a later authentication of the user for system operation. In other words, Applicants respectfully submit that Fujimoto describes a system for the avoidance of improper or illegal use of a purchaser record medium 13, and a system whereby a purchaser can be identified by various prestored variables and his account history checked all prior to **the transfer of digital data to him** via the rewritable area of the purchaser record medium 13.

Nowhere in the Fujimoto reference, however, is it even hinted that anything stored on the purchaser record medium 13 in any manner determines the capability of the data delivery system to deliver digital data onto the rewritable area Z1 of the purchaser record medium 13. Rather, the data delivery system reads certain information from the purchaser record medium 13 and compares that information with information previously stored in its database and as a result of that comparison either allows the potential purchaser to proceed with his proposed transaction or refuses to allow the purchaser to proceed with his proposed transaction. Further, if the purchaser is allowed to continue with his proposed transaction, the Fujimoto system records the transaction both in its database and on the purchaser record medium for use in determining whether to authorize a subsequent transaction.

Again, therefore, Applicants respectfully submit that the Fujimoto system determines whether or not the purchaser record medium 13 of a particular user can be utilized with it by a process akin to an authentication of a user. Further, Applicants respectfully submit that the latter decision is not based upon the capability of the system to have the purchaser record medium in question be utilized with it, but rather is based upon pre-established criteria concerning whether or not the personal and account data recorded on the purchaser record medium match the system database and on whether the nature of that database for that particular purchaser record medium is considered to be “normal”.

Clearly, therefore, in the Fujimoto context the system can interface with the purchaser record medium 13 of any potential purchaser, and it is only when the system decides based on predetermined criteria not to proceed with a transaction that the flow of digital data to the rewritable section Z1 of that purchaser record medium is prevented. Consequently, unlike the present invention wherein data transfer from the external memory to the data reproduction apparatus for display cannot occur unless the external memory contains reproducing apparatus specifying information that specifies the reproduction apparatus that the user attempts to use as internally verified by the reproduction apparatus, the Fujimoto apparatus interacts with the purchaser record medium 13 until such time as preset criteria cause it to stop the interaction.

Accordingly, Applicant respectfully submits that the Fujimoto reference differs from the present invention not only because it transfers digital data to an external memory rather than from an external memory for reproduction, but also because the very premises upon which its operational capabilities rest are totally different from those of the present invention.

Also as has been alluded to above, it is Applicants' position that the purchaser record medium 13 of the Fujimoto reference can in no way be justifiably equated with the storage medium mentioned in paragraph (i) of Claim 25 of the present application. In particular, the storage mentioned in paragraph (i) of Claim 20 of the present application is included (located within the housing of) the claimed data reproducing apparatus. Thus, as previously mentioned the ROM 1112 that corresponds to the storage mentioned in paragraph (i) of Claim 20 is built into the claimed data reproduction apparatus housing and stores the ID information specific to the claimed data reproduction apparatus.

In other words, if the CPU recited in Claim 20 is taken to correspond with the computer 24 of the shop 4 of the Fujimoto reference, the element corresponding to the storage mentioned in paragraph (i) of Claim 20 would be required to be located in the computer 24 of Fujimoto. The Fujimoto reference, however, does not disclose this configuration except with respect to elements utilized to establish the required authentications among the computers of the disclosed network which is beyond the scope of the present discussion.

In addition, Fujimoto clearly does not in any manner even remotely contemplate that the purchaser record medium 13 is to be located within the computer 24 of the shop 4. Indeed, as recognized at the top of Column 9 of Fujimoto, the purchaser record medium 13 is intended for use by the user in the transport of data downloaded from the delivery computers to his home for retransfer to his own computer, game console or the like. Accordingly, any characterization of the storage as claimed at paragraph (i) of Claim 20 as being the same or equivalent to the purchaser record medium 13 of Fujimoto is not believed to be supportable.

Furthermore, the Examiner cites the passage at Column 13, lines 19-49, as constituting a disclosure of the "control apparatus" set forth in Claim 20 of this application. That passage of the Fujimoto reference reads as follows:

Namely, as illustrated in FIG. 5, in step 101, the software deliverer retrieves the purchaser's inherent data/accounting data corresponding to ID No., which is included in the purchaser's inherent data/accounting data recorded in the purchaser record medium 13, from the purchaser's inherent data/accounting data stored in the corresponding one of the computers 21 to 23. Then, the software deliverer collates the purchaser's inherent data/accounting data, which is recorded in the purchaser record medium 13, with the retrieved purchaser's inherent data/accounting data stored in the corresponding one of the computers 21 to 23. At that time, if the collation of the accounting data therebetween is performed in addition to the aforementioned collation of the purchaser's inherent data, high level security is obtained. As a result of the collation step 102, if matched, the process advances to step 103 whereupon it is judged that the purchaser's inherent data/accounting data recorded in the purchaser record medium is normal. Thereafter, the computer of the software deliverer proceeds to the delivery operation which includes the accounting process. In contrast, if not matched, the process advances to step 104 whereupon it is judged that the purchaser's inherent data/accounting data recorded in the purchaser record medium is abnormal. Then, the computer software deliverer stops delivery operation. If necessary, the purchaser record medium 13 is forcibly ejected from the computer 24 of the shop 4. Moreover, the deliverers 1 to 3 sometimes specify a purchaser who has used the purchaser record medium 13 illegally or unauthorizedly, and take a necessary step.

According to the just quoted description, Applicants respectfully submit that it is abundantly clear that the purchaser record medium 13 is *not* built into the computer 24 of the shop 4 as a necessary configuration. Instead, as mentioned above, the purchaser record medium 13 belongs to the user and is readily portable by him away from the deliverer computer network. Hence, Applicants respectfully reiterate their position that any interpretation of the Fujimoto reference that suggests that the purchaser record medium 13 is somehow the same as, or equivalent to, the storage claimed in paragraph (i) of Claim 20 is clearly and definitely in error.

In addition, Applicants respectfully submit that the last quoted section of the Fujimoto reference also fails to support the Examiner's allegations concerning the control apparatus enabling or disabling reproduction *depending upon the determination of the first determining apparatus* that the Examiner alleges to be disclosed at Column 11, lines 23-45 of Fujimoto which in fact simply describes the nature of the "purchaser's inherent data/accounting data". In fact, the Fujimoto reference only indicates that the purchaser record medium is subjected to an authentication procedure that compares its various recorded values to those contained in a database and allows or disallows the download of digital data to the purchaser record medium according to the results of that authentication procedure, not according to a determination of whether the purchaser record medium 13 contains reproduction apparatus specifying information for specifying an apparatus capable of reproduction.

Moreover, Applicants respectfully submit that to the extent that the Fujimoto reference might be considered to be a data reproduction apparatus in that it transfers data to the purchaser record medium under certain circumstances, there is simply nothing in the Fujimoto reference that teaches, discloses or suggests that any determination is made that the "data reproduction apparatus" is capable of transferring data to the purchaser record medium 13 based upon an internally stored ID in the computer 24 of the shop 4 and information stored on the purchaser record medium 13 specifying the computer of the shop 4 as the data reproducing apparatus. Indeed, the fact that data is being transferred from the card to the reproducing apparatus in the present invention and from the computer to the purchaser record medium in Fujimoto in and of itself is indicative of the fact that the limitations of the present claims are inapposite to the present invention.

Consequently, Applicants respectfully submit that any assumption that one might equate the prior version of the information to be transferred on the external storage medium to the reproducing apparatus specifying information and the prior version of the information to be transferred stored in the transfer apparatus to the reproducing apparatus specifying information for the purpose of developing a *prima facie* case supporting the unpatentability of the present claims under 35 USC 103 is an improper conceptual jump in view of the specific content of the Fujimoto reference and the present specification. The foregoing argument is respectfully submitted to clearly specify the factors that militate against the foregoing assumption in the contexts of those disclosures. Furthermore, Applicants respectfully submit that to deviate from these specifics far enough to draw the equivalence assumption discussed above takes one beyond the scope of what one of ordinary skill in the art at the time that the present invention was made might have derived from the Fujimoto reference.

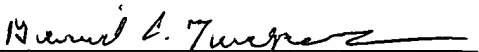
For each and all of the foregoing reasons, Applicants respectfully submit that the claims of this application as they currently stand are in condition for allowance. Therefore, reconsideration and allowance of Claims 20-28 as hereinabove set forth in response to this communication are respectfully requested.

Applicant: Y. Sawada et al.
USSN: 09/647,086
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Applicants believe that additional fees are not required in connection with the consideration of this response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. **04-1105**, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

Date: September 30, 2008


SIGNATURE OF PRACTITIONER

Reg. No. 27,840

David A. Tucker
(type or print name of practitioner)
Attorney for Applicant

Tel. No. (617) 517-5508

Edwards Angell Palmer & Dodge LLP
P. O. Box 55874
P.O. Address

Customer No. 21874

Boston, MA 02205



PTO/SB/17 (10-07)

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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2008

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

180.00

Complete if Known

Application Number	09/647,086-Conf. #4078
Filing Date	September 26, 2000
First Named Inventor	Yuji Sawada
Examiner Name	Deshpande, Kalyan K.
Art Unit	3625
Attorney Docket No.	55168RCE3(70551)

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 04-1105 Deposit Account Name: Edwards Angell Palmer & Dodge LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	210	105
Multiple dependent claims	370	185

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)** **Multiple Dependent Claims**

_____ - = _____ x _____ = _____ **Fee (\$)** **Fee Paid (\$)**

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

_____ - = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets **Extra Sheets** **Number of each additional 50 or fraction thereof** **Fee (\$)** **Fee Paid (\$)**

_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement 180.00

SUBMITTED BY			
Signature	<i>David A. Tucker</i>	Registration No. (Attorney/Agent)	27,840
Name (Print/Type)	David A. Tucker	Telephone	(617) 517-5508
		Date	September 30, 2008



COPY

PTO/SB/17 (10-07)

Approval for use through 06/30/2010. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete if Known	
FEE TRANSMITTAL For FY 2008		Application Number	09/647,086-Conf. #4078
		Filing Date	September 26, 2000
		First Named Inventor	Yuji Sawada
		Examiner Name	Deshpande, Kalyan K.
		Art Unit	3625
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	Attorney Docket No.	55168RCE3(70551)	
TOTAL AMOUNT OF PAYMENT		(\$)	180.00

METHOD OF PAYMENT (check all that apply)

<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> None	<input type="checkbox"/> Other (please identify): _____
<input checked="" type="checkbox"/> Deposit Account	Deposit Account Number: 04-1105		Deposit Account Name: Edwards Angell Palmer & Dodge LLP	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)				
<input checked="" type="checkbox"/> Charge fee(s) indicated below		<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee		
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17		<input checked="" type="checkbox"/> Credit any overpayments		

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
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Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	210	105
Multiple dependent claims	370	185

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
HP	=	x	=

HP = highest number of total claims paid for, if greater than 20.

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
HP	=	x	=

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims

<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
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3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement 180.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	27,840
Name (Print/Type)	David A. Tucker	Telephone	(617) 517-5508
		Date	September 30, 2008